

1 AARON D. FORD  
2 Attorney General  
3 GERRI LYNN HARDCASTLE (Bar No. 13142)  
4 Deputy Attorney General  
5 State of Nevada  
6 Office of the Attorney General  
7 100 North Carson Street  
Carson City, Nevada 89701-4717  
Telephone: (775) 684-1215  
Fax: (775) 684-1108  
GHardcastle@ag.nv.gov  
Attorney for Respondent

8  
9 **UNITED STATES DISTRICT COURT**  
10  
11 **DISTRICT OF NEVADA**

12 VICTOR TORRES-MEJIA,  
13 vs.  
14 JERRY HOWELL, *et al.*,  
15 Respondent.

Case No. 2:18-cv-00681-RFB-VCF  
**RESPONDENTS' MOTION FOR  
ENLARGEMENT OF TIME TO RESPOND  
TO PETITION FOR WRIT OF HABEAS  
CORPUS (FOURTH REQUEST)**

16 Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada,  
17 and Gerri Lynn Hardcastle, Deputy Attorney General, move this Court for a two- (2) week enlargement  
18 of time, or up to and including Friday, October 23, 2020, to file and serve their response to the petition  
19 for writ of habeas corpus of Petitioner, Victor Torrez-Mejia (Torrez-Mejia).

20 This motion is based on the provisions of Rule 6(b) of the Federal Rules of Civil Procedure and  
21 the attached Declaration of Counsel, as well as all other pleadings and materials on file herein.

22 This is Respondents' fourth request for an enlargement of time to respond to Torrez-Mejia's  
23 petition. Respondents make this motion in good faith and not for the purpose of unnecessary delay.

24 RESPECTFULLY SUBMITTED this 9th day of October, 2020.

25 AARON D. FORD  
26 Attorney General

27 By: /s/ Gerri Lynn Hardcastle  
GERRI LYNN HARDCASTLE (Bar No. 13142)  
28 Deputy Attorney General

1 AARON D. FORD  
2 Attorney General  
3 GERRI LYNN HARDCASTLE (Bar No. 13142)  
4 Deputy Attorney General  
5 State of Nevada  
6 Office of the Attorney General  
7 100 North Carson Street  
Carson City, Nevada 89701-4717  
Telephone: (775) 684-1215  
Fax: (775) 684-1108  
GHardcastle@ag.nv.gov  
Attorney for Respondent

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10  
11 VICTOR TORRES-MEJIA,  
12 Petitioner,  
13 vs.  
14 JERRY HOWELL, *et al.*,  
15 Respondent.

Case No. 2:18-cv-00681-RFB-VCF

**DECLARATION OF COUNSEL**

16 I, Gerri Lynn Hardcastle, hereby state, based on personal knowledge and/or information and  
17 belief, that the assertions in this declaration are true:

18 1. I am a Deputy Attorney General of the Post-Conviction Division of the Nevada Attorney  
19 General's Office, and I make this declaration in support of Respondents' motion for enlargement of  
20 time to respond to Torrez-Mejia's second amended petition for writ of habeas corpus (fourth request).

21 2. By this motion, I am requesting a two- (2-) week enlargement of time, or up to and  
22 including Friday, October 23, 2020, to respond to Torrez-Mejia's petition.

23 3. When I requested a one- (1-) week enlargement of time on October 2, 2020 (ECF No.  
24 33), I was overly-optimistic in the amount of time I would need to complete this task and others.  
25 Consequently, I am unable to file Respondents' response by the close of business today, as I thought I  
26 would. I am requesting two (2) additional weeks to complete the response in an abundance of caution  
27 and to prevent any further expenditure of this Court's and opposing counsel's resources with short  
28 motions for enlargement of time.

1       4. I contacted Ron Sung, the Assistant Federal Public Defender representing Torrez-Mejia,  
2 and he does not oppose this enlargement of time.

3       5. I am moving for this enlargement of time in good faith and not for the purpose of unduly  
4 delaying the ultimate disposition of this case.

5       6. Pursuant to 28 U.S.C. § 1746, I hereby certify, under penalty of perjury, that the  
6 foregoing is true and correct.

7       EXECUTED this 9th day of October, 2020.

By:/s/ Gerri Lynn Hardcastle  
GERRI LYNN HARDCASTLE

9       IT IS SO ORDERED:

10         
11       RICHARD F. BOULWARE, II  
12       UNITED STATES DISTRICT JUDGE

13       DATED this 11th day of October, 2020.

## **CERTIFICATE OF SERVICE**

I certify that I am an employee of the Office of the Attorney General and that on this 9th day of October, 2020, I served a copy of the foregoing **RESPONDENTS' MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO PETITION FOR WRIT OF HABEAS CORPUS (FOURTH REQUEST)**, by U.S. District Court CM/ECF electronic filing to:

Ron Sung  
Assistant Federal Public Defender  
744 E. Bonneville Ave. Ste. 250  
Las Vegas, Nevada 89101

/s/ Lisa M. Clark